

REMARKS

In the April 28, 2009 Office Action, claims 1-20 were rejected for failing to comply with the written description requirement and to indicate and claim particularly and distinctly the subject matter that Applicants regard as the invention. Further, claims 1, 2, 5, 7, 11, 13, 15, 17, and 19 and the title were objected to. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the April 28, 2009 Office Action, Applicants have amended claims 1, 2, 5, 7, 11, 13, 15, 17, and 19 and the title as indicated above. Further, Applicants respectfully traverse the objections of claims 1, 2, and 7 with regards being written multiple sentence structure, and have amended claims 1, 2, and 7 to correct a typographical error discovered upon review. Applicants wish to thank the Examiner for the examination of this application. Thus, claims 1-20 are pending, with claims 1, 2, and 7 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Specification

In item 1 of the Office Action, it was indicated that the title was not descriptive. In response, Applicants have amended the title to -- AIR CONDITIONER WITH OIL RECOVERY FUNCTION -- as suggested.

Withdrawal of this objection is respectfully requested.

Claim Objections

On pages 2 and 3 of the Office Action, claims 1, 2, 5, 7, 11, 13, 15, 17, and 19. In response, Applicants have amended claims 1, 2, 5, 7, 11, 13, 15, 17, and 19 as suggested, and

respectfully traverse the objections of claims 1, 2, and 7 with regards being written multiple sentence structure.

Specifically, Applicants have amended claims 1, 2, and 7 to recite -- the lower portion of the heat exchanger -- as suggested. Further, Applicants respectfully assert that each of claims 1, 2, and 7 was written with only one period in the January 26, 2009 Amendment. Moreover, Applicants have amended claims 5, 11, 13, 15, 17, and 19 to recite -- is configured to use -- as suggested.

Claim Rejections - 35 U.S.C. §112

In item 2 of the Office Action, claims 1-20 were rejected under 35 U.S.C. §112, first and second paragraphs. In response, Applicants have amended claims 1, 2, and 7 to clarify claims 1-20.

Specifically, Applicants have amended claim 1 to recite "the refrigerant circuit, the first bypass circuit and the oil returning circuit being further operatively arranged with respect to one another such that when the heat source heat exchanger is caused to function as an evaporator an oil recovery operation is ~~configured to be temporarily~~ conducted by temporarily causing the refrigerant discharged from the compression mechanism to be bypassed to the intake side of the compression mechanism via the first bypass circuit, causing the heat source heat exchanger to function ~~temporarily~~ as a condenser, and closing the expansion valve." Applicants have similarly amended claims 2 and 7. Applicants respectfully assert that these limitations are supported by the specification, e.g., the paragraph beginning on page 16, line 26 and the paragraph beginning on page 28, line 29 of the written disclosure.

Further, Applicants have respectively amended claims 1, 2, and 7 to change the respective first recitations of "the lower portion," "the upper portion," and "the units," to -- a lower portion --, -- an upper portion --, and -- units --.

Applicants believe that the claims now comply with 35 U.S.C. §112, first and second paragraphs. Withdrawal of the rejections is respectfully requested.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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